

Order

Michigan Supreme Court
Lansing, Michigan

December 3, 2009

Marilyn Kelly,
Chief Justice

139795

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

In re JADEN C. MASON and CAMERON
A. MASON, Minors.

DEPARTMENT OF HUMAN SERVICES,
Petitioner-Appellee,

v

RICHARD MASON,
Respondent-Appellant,

SC: 139795
COA: 290637
Macomb Circuit Court Family
Division: 2007-000409-NA;
2007-000410-NA

and

CLARISSA SMITH,
Respondent.

On order of the Court, the application for leave to appeal the September 15, 2009 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other preemptory action. MCR 7.302(H)(1). At oral argument, the parties shall address whether, under the particular circumstances of this case, the Macomb Circuit Court, Family Division, clearly erred in terminating the respondent-father's parental rights pursuant to MCL 712A.19b(3)(c)(i), (g), (h), and (j), where the Department of Human Services failed to maintain contact with the respondent-father throughout the proceedings, failed to ensure his appearance at all court hearings (see MCR 2.004), and failed to provide him with an opportunity to comply with a parent-agency agreement tailored to his circumstances. See *In re Rood*, 483 Mich 73 (2009). The parties may file supplemental briefs within 28 days of the date of this order, but they should not submit mere restatements of their application papers.



d1202

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 3, 2009

Corbin R. Davis

Clerk